

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COVENANT MEDICAL CENTER,
INC.,

Case No. 1:21-cv-12232

Plaintiff,

HONORABLE STEPHEN J. MURPHY, III

v.

DYNAMO, LLC, et al.,

Defendants.

_____ /

ORDER STRIKING FILING [26]

Defendant Dynamo, LLC moved to transfer the dispute to Arizona for mediation. ECF 26. The motion was signed by David McPherson, another Defendant in the present case but not a licensed attorney. *Id.* at 147. Defendant McPherson also signed a response, on his own behalf and Defendant Dynamo's behalf, to the Court's show cause order. ECF 28.

"It is well established that a corporate defendant must be represented by an attorney in federal court proceedings and cannot be represented by one of its officers." *Acker v. Admiralty Dev. Corp.*, No. 18-cv-10920, 2019 WL 1315237, at *4 (E.D. Mich. Mar. 22, 2019) (collecting cases). Defendant McPherson is the Manager of Dynamo. ECF 1-11, PgID 37. Because he is not a licensed attorney, the Court will order the Clerk of the Court to strike the motion that he filed on Dynamo's behalf.¹ The Court

¹ Because the response to the show cause order, ECF 28, is on both Dynamo and McPherson's behalf, the Court will liberally construe the response to the show cause

will not allow Defendant McPherson to represent Dynamo or file motions on Dynamo's behalf.

Because Dynamo is unrepresented, the Court will provide Dynamo thirty days to find counsel before resolving the present motion to vacate, ECF 23. *See Acker*, 2019 WL 1315237, at *4. If Dynamo does not have counsel make an appearance in thirty days, the Court will consider Dynamo in default. *Id.*

WHEREFORE, it is hereby **ORDERED** that the Clerk of the Court must **STRIKE** the motion to transfer the dispute [26].

IT IS FURTHER ORDERED that Counsel for Dynamo, LLC must **MAKE** an appearance **no later than thirty days from this Order**.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: May 6, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 6, 2022, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager

order as only Defendant McPherson's response. *See Haines v. Kerner*, 404 U.S. 519, 520–21 (1972) (per curiam).